

107TH CONGRESS  
2D SESSION

# S. 2623

To designate the Cedar Creek Battlefield and Belle Grove Plantation National Historical Park as a unit of the National Park System, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JUNE 13, 2002

Mr. WARNER (for himself and Mr. ALLEN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To designate the Cedar Creek Battlefield and Belle Grove Plantation National Historical Park as a unit of the National Park System, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Cedar Creek Battle-  
5       field and Belle Grove Plantation National Historical Park  
6       Act”.

1 **SEC. 2. PURPOSE.**

2 The purpose of this Act is to establish the Cedar  
3 Creek Battlefield and Belle Grove Plantation National  
4 Historical Park in order to—

5 (1) help preserve, protect, and interpret a na-  
6 tionally significant Civil War landscape and ante-  
7 bellum plantation for the education, inspiration, and  
8 benefit of present and future generations;

9 (2) serve as a focal point to recognize and inter-  
10 pret important events and geographic locations rep-  
11 resenting key Civil War battles in the Shenandoah  
12 Valley, including those battlefields associated with  
13 the Thomas J. (Stonewall) Jackson campaign of  
14 1862 and the decisive campaigns of 1864;

15 (3) tell the rich story of the Battle of Cedar  
16 Creek and its significance in the conduct of the war  
17 in the Shenandoah Valley; and

18 (4) preserve the significant historic, natural,  
19 cultural, military, and scenic resources found in the  
20 Cedar Creek Battlefield and Belle Grove Plantation  
21 areas through partnerships with local landowners  
22 and the community.

23 **SEC. 3. FINDINGS.**

24 Congress finds the following:

25 (1) The Battle of Cedar Creek, also known as  
26 the battle of Belle Grove, was a major event of the

1 Civil War and the history of this country. It rep-  
2 resented the end of the Civil War's Shenandoah Val-  
3 ley campaign of 1864 and contributed to the reelec-  
4 tion of President Abraham Lincoln and the eventual  
5 outcome of the war.

6 (2) 2,500 acres of the Cedar Creek Battlefield  
7 and Belle Grove Plantation were designated a na-  
8 tional historic landmark in 1969 because of their  
9 ability to illustrate and interpret important eras and  
10 events in the history of the United States. The  
11 Cedar Creek Battlefield, Belle Grove Manor House,  
12 the Heater House, and Harmony Hall (a National  
13 Historic Landmark) are also listed on the Virginia  
14 Landmarks Register.

15 (3) The Secretary of the Interior has approved  
16 the Shenandoah Valley Battlefields National His-  
17 toric District Management Plan, September 2000,  
18 which preserves the District's historic character, and  
19 protects and interprets 10 significant Civil War bat-  
20 tlefields within the District, including the Cedar  
21 Creek battlefield.

22 (4) The Shenandoah Valley Battlefields Na-  
23 tional Historic District Management Plan and the  
24 National Park Service Special Resource Study recog-

nize the Cedar Creek battlefield as the most significant Civil War resource within the Historic District.

(5) The Shenandoah Valley Battlefields National Historic District Management Plan, which was developed with extensive public participation over a 3-year period and is administered by the Shenandoah Valley Battlefields Foundation, recommends that Cedar Creek Battlefield be established as a new unit of the National Park System to provide permanent protection for the battlefield and to serve as the central site to increase the public's education and awareness of the War's legacy throughout the Historic District.

(6) The Cedar Creek Battlefield Foundation, organized in 1988 to preserve and interpret the Cedar Creek Battlefield and the 1864 Valley Campaign, has acquired 308 acres of land within the boundaries of the National Historic Landmark. The foundation annually hosts a major reenactment and living history event on the Cedar Creek Battlefield.

(7) Belle Grove Plantation is a Historic Site of the National Trust for Historic Preservation that occupies 383 acres within the National Historic Landmark. The Belle Grove Manor House was built by Isaac Hite, a Revolutionary War patriot married to

1 the sister of President James Madison, who was a  
2 frequent visitor at Belle Grove. President Thomas  
3 Jefferson assisted with the design of the house. Dur-  
4 ing the Civil War Belle Grove was at the center of  
5 the decisive battle of Cedar Creek. Belle Grove is  
6 managed locally by Belle Grove, Incorporated, and  
7 has been open to the public since 1967. The house  
8 has remained virtually unchanged since it was built  
9 in 1797, offering visitors an experience of the life  
10 and times of the people who lived there in the 18th  
11 and 19th centuries.

12 (8) The panoramic views of the mountains, nat-  
13 ural areas, and waterways provide visitors with an  
14 inspiring setting of great natural beauty. The his-  
15 toric, natural, cultural, military, and scenic re-  
16 sources found in the Cedar Creek Battlefield and  
17 Belle Grove Plantation areas are nationally and re-  
18 gionally significant.

19 (9) The existing, independent, not-for-profit or-  
20 ganizations dedicated to the protection and interpre-  
21 tation of the resources described above provide the  
22 foundation for public-private partnerships to further  
23 the success of protecting, preserving, and inter-  
24 preting these resources.

1 (10) None of these resources, sites, or stories of  
2 the Shenandoah Valley are protected by or inter-  
3 preted within the National Park System.

4 **SEC. 4. DEFINITIONS.**

5 In this Act:

6 (1) COMMISSION.—The term “Commission”  
7 means the Cedar Creek Battlefield and Belle Grove  
8 Plantation National Historical Park Advisory Com-  
9 mission established by section 9.

10 (2) MAP.—The term “Map” means the map en-  
11 titled “Cedar Creek Battlefield and Belle Grove  
12 Plantation National Historic Park”, numbered  
13 CECR–80,000, and dated June 12, 2002.

14 (3) PARK.—The term “Park” means the Cedar  
15 Creek Battlefield and Belle Grove Plantation Na-  
16 tional Historical Park established under section 5  
17 and depicted on the Map.

18 (4) SECRETARY.—The term “Secretary” means  
19 the Secretary of the Interior.

20 **SEC. 5. ESTABLISHMENT OF CEDAR CREEK BATTLEFIELD**  
21 **AND BELLE GROVE PLANTATION NATIONAL**  
22 **HISTORICAL PARK.**

23 (a) ESTABLISHMENT.—There is established the  
24 Cedar Creek Battlefield and Belle Grove Plantation Na-

1 tional Historical Park, consisting of approximately 3,000  
2 acres, as generally depicted on the Map.

3 (b) AVAILABILITY OF MAP.—The Map shall be on file  
4 and available for public inspection in the offices of the Na-  
5 tional Park Service of the Department of the Interior.

6 **SEC. 6. ACQUISITION OF PROPERTY.**

7 (a) REAL PROPERTY.—The Secretary may acquire  
8 land or interests in land within the boundaries of the  
9 Park, from willing sellers only, by donation, purchase with  
10 donated or appropriated funds, or exchange.

11 (b) BOUNDARY REVISION.—After acquiring land for  
12 the Park, the Secretary shall—

13 (1) revise the boundary map of the Park to in-  
14 clude newly acquired land within the boundary; and

15 (2) administer newly acquired land subject to  
16 applicable laws (including regulations).

17 (c) PERSONAL PROPERTY.—The Secretary may ac-  
18 quire personal property associated with, and appropriate  
19 for, interpretation of the Park.

20 (d) CONSERVATION EASEMENTS AND COVENANTS.—  
21 The Secretary is authorized to acquire conservation ease-  
22 ments and enter into covenants regarding lands in or adja-  
23 cent to the Park from willing sellers only. Such conserva-  
24 tion easements and covenants shall have the effect of pro-  
25 tecting the scenic, natural, and historic resources on adja-

cent lands and preserving the natural or historic setting  
of the park when viewed from within or outside the Park.

(e) SUPPORT FACILITIES.—The National Park Service is authorized to acquire from willing sellers up to 50 acres of land outside the park boundary, but in close proximity to the park, to develop facilities for one or more of the following:

- (1) Visitors.
- (2) Administrative functions.
- (3) Museums.
- (4) Curatorial functions.
- (5) Maintenance.

#### **SEC. 7. ADMINISTRATION.**

The Secretary shall administer the Park in accordance with this Act and the provisions of law generally applicable to units of the National Park System, including—

- (1) the Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916 (16 U.S.C. 1 et seq.); and
- (2) the Act entitled “An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes”, approved August 21, 1935 (16 U.S.C. 461 et seq.).



1 **SEC. 8. MANAGEMENT OF PARK.**

2 (a) MANAGEMENT PLAN.—The Secretary, in con-  
3 sultation with the Commission, shall prepare a manage-  
4 ment plan for the Park. In particular, the management  
5 plan shall contain provisions to address the needs of own-  
6 ers of non-Federal land, including independent nonprofit  
7 organizations within the boundaries of the Park.

8 (b) SUBMISSION OF PLAN TO CONGRESS.—Not later  
9 than 3 years after the date of the enactment of this Act,  
10 the Secretary shall submit the management plan for the  
11 Park to Congress.

12 **SEC. 9. CEDAR CREEK BATTLEFIELD AND BELLE GROVE**  
13 **PLANTATION NATIONAL HISTORICAL PARK**  
14 **ADVISORY COMMISSION.**

15 (a) ESTABLISHMENT.—There is established the  
16 Cedar Creek Battlefield and Belle Grove Plantation Na-  
17 tional Historical Park Advisory Commission.

18 (b) DUTIES.—The Commission shall—

19 (1) advise the Secretary in the preparation and  
20 implementation of a general management plan de-  
21 scribed in section 8; and

22 (2) advise the Secretary with respect to the  
23 identification of sites of significance outside the  
24 Park boundary deemed necessary to fulfill the pur-  
25 poses of this Act.

26 (c) MEMBERSHIP.—

1           (1) COMPOSITION.—The Commission shall be  
2       composed of 15 members appointed by the Secretary  
3       so as to include the following:

4                   (A) 1 representative from the Common-  
5       wealth of Virginia.

6                   (B) 1 representative each from the local  
7       governments of Strasburg, Middletown, Fred-  
8       erick County, Shenandoah County, and Warren  
9       County.

10                  (C) 2 representatives of private landowners  
11       within the Park.

12                  (D) 1 representative from a citizen interest  
13       group.

14                  (E) 1 representative from the Cedar Creek  
15       Battlefield Foundation.

16                  (F) 1 representative from Belle Grove, In-  
17       corporated.

18                  (G) 1 representative from the National  
19       Trust for Historic Preservation.

20                  (H) 1 representative from the Shenandoah  
21       Valley Battlefields Foundation.

22                  (I) 1 ex-officio representative from the Na-  
23       tional Park Service.

24                  (J) 1 ex-officio representative from the  
25       United States Forest Service.

1           (2) CHAIRPERSON.—The Chairperson of the  
2 Commission shall be elected by the members to serve  
3 a term of one year renewable for one additional year.

4           (3) VACANCIES.—A vacancy on the Commission  
5 shall be filled in the same manner in which the origi-  
6 nal appointment was made.

7           (4) TERMS OF SERVICE.—

8               (A) IN GENERAL.—Each member shall be  
9 appointed for a term of 3 years and may be re-  
10 appointed for not more than 2 successive terms.

11           (B) INITIAL MEMBERS.—Of the members  
12 first appointed under paragraph (1), the Sec-  
13 retary shall appoint—

14                   (i) 4 members for a term of 1 year;

15                   (ii) 5 members for a term of 2 years;

16                   and

17                   (iii) 6 members for a term of 3 years.

18           (5) EXTENDED SERVICE.—A member may  
19 serve after the expiration of that member's term  
20 until a successor has taken office.

21           (6) MAJORITY RULE.—The Commission shall  
22 act and advise by affirmative vote for a majority of  
23 its members.

1           (7) MEETINGS.—The Commission shall meet at  
 2           least quarterly at the call of the chairperson or a  
 3           majority of the members of the Commission.

4           (8) QUORUM.—8 members shall constitute a  
 5           quorum.

6           (d) COMPENSATION.—Members shall serve without  
 7           pay. Members who are full-time officers or employees of  
 8           the United States, the Commonwealth of Virginia, or any  
 9           political subdivision thereof shall receive no additional pay  
 10          on account of their service on the Commission.

11          (e) HEARINGS; PUBLIC INVOLVEMENT.—The Com-  
 12          mission may, for purposes of carrying out this Act, hold  
 13          such hearings, sit and act at such times and places, take  
 14          such public testimony, and receive such evidence, as the  
 15          Commission considers appropriate. The Commission may  
 16          not issue subpoenas or exercise any subpoena authority.

17          (f) FACA NONAPPLICABILITY.—The Federal Advi-  
 18          sory Committee Act shall not apply to the Commission.

19       **SEC. 10. CONSERVATION OF CEDAR CREEK BATTLEFIELD**  
 20                               **AND BELLE GROVE PLANTATION NATIONAL**  
 21                               **HISTORICAL PARK.**

22          (a) ENCOURAGEMENT OF CONSERVATION.—The Sec-  
 23          retary and the Commission shall encourage conservation  
 24          of the historic and natural resources within and in prox-

1 imity of the Park by landowners, local governments, orga-  
 2 nizations, and businesses.

3 (b) PROVISION OF TECHNICAL ASSISTANCE.—The  
 4 Secretary may provide technical assistance to local govern-  
 5 ments, in cooperative efforts which complement the values  
 6 of the Park.

7 (c) COOPERATION BY FEDERAL AGENCIES.—Any  
 8 Federal entity conducting or supporting activities directly  
 9 affecting the Park shall consult, cooperate, and, to the  
 10 maximum extent practicable, coordinate its activities with  
 11 the Secretary in a manner that—

12 (1) is consistent with the purposes of this Act  
 13 and the standards and criteria established pursuant  
 14 to the general management plan developed pursuant  
 15 to section 8;

16 (2) is not likely to have an adverse effect on the  
 17 resources of the Park; and

18 (3) is likely to provide for full public participa-  
 19 tion in order to consider the views of all interested  
 20 parties.

21 **SEC. 11. ENDOWMENT.**

22 (a) IN GENERAL.—In accordance with the provisions  
 23 of subsection (b), the Secretary is authorized to receive  
 24 and expend funds from an endowment to be established

1 with the National Park Foundation, or its successors and  
2 assigns.

3 (b) CONDITIONS.—Funds from the endowment re-  
4 ferred to in subsection (a) shall be expended exclusively  
5 as the Secretary, in consultation with the Commission,  
6 may designate for the interpretation, preservation, and  
7 maintenance of the Park resources and public access  
8 areas. No expenditure shall be made pursuant to this sec-  
9 tion unless the Secretary determines that such an expendi-  
10 ture is consistent with the purposes of this Act.

11 **SEC. 12. COOPERATIVE AGREEMENTS.**

12 (a) IN GENERAL.—In order to further the purposes  
13 of this Act, the Secretary is authorized to enter into coop-  
14 erative agreements with interested public and private enti-  
15 ties and individuals (including the National Trust for His-  
16 toric Preservation, Belle Grove, Inc., the Cedar Creek Bat-  
17 tlefield Foundation, the Shenandoah Valley Battlefields  
18 Foundation, and the Counties of Frederick, Shenandoah,  
19 and Warren), through technical and financial assistance,  
20 including encouraging the conservation of historic and  
21 natural resources within and near the Park.

22 (b) TECHNICAL AND FINANCIAL ASSISTANCE.—The  
23 Secretary may provide to any person, organization, or gov-  
24 ernmental entity technical and financial assistance for the  
25 purposes of this Act, including the following:

1           (1) Preserving historic structures within the  
2       Park.

3           (2) Maintaining the natural or cultural land-  
4       scape of the Park.

5           (3) Local preservation planning, interpretation,  
6       and management of public visitation for the Park.

7           (4) Furthering the goals of the Shenandoah  
8       Valley Battlefields Foundation and National His-  
9       toric District Management Plan.

10 **SEC. 13. ROLES OF KEY PARTNER ORGANIZATIONS.**

11       (a) IN GENERAL.—In recognition that central por-  
12       tions of the Park are presently owned and operated for  
13       the benefit of the public by key partner organizations, the  
14       Secretary shall acknowledge and support the continued  
15       participation of these partner organizations in the man-  
16       agement of the Park.

17       (b) PARK PARTNERS.—Roles of the current key part-  
18       ners include the following:

19           (1) CEDAR CREEK BATTLEFIELD FOUNDA-  
20       TION.—The Cedar Creek Battlefield Foundation  
21       may—

22           (A) continue to own, operate, and manage  
23       the lands acquired by the Foundation within  
24       the Park;

1 (B) continue to conduct reenactments and  
 2 other events within the Park; and

3 (C) transfer ownership interest in portions  
 4 of their land to the National Park Service by  
 5 donation, sale, or other means that meet the  
 6 legal requirements of National Park Service  
 7 land acquisitions.

8 (2) NATIONAL TRUST FOR HISTORIC PRESERVA-  
 9 TION AND BELLE GROVE INCORPORATED.—The Na-  
 10 tional Trust for Historic Preservation and Bell  
 11 Grove Incorporated may continue to own, operate,  
 12 and manage Belle Grove Plantation and its struc-  
 13 tures and grounds within the Park boundary. Belle  
 14 Grove Incorporated may continue to own the house  
 15 and grounds known as Bowman’s Fort or Harmony  
 16 Hall for the purpose of permanent preservation, with  
 17 a long-term goal of opening the property to the pub-  
 18 lic.

19 (3) SHENANDOAH COUNTY.—Shenandoah  
 20 County may continue to own, operate, and manage  
 21 the Keister park site within the Park for the benefit  
 22 of the public.

23 (4) GATEWAY COMMUNITIES.—The adjacent  
 24 historic towns of Strasburg and Middletown shall be  
 25 acknowledged as Gateway Communities to the Park.



1           (5) SHENANDOAH VALLEY BATTLEFIELDS  
2       FOUNDATION.—The Shenandoah Valley Battlefields  
3       Foundation may continue to administer and manage  
4       the Shenandoah Valley Battlefields National His-  
5       toric District in partnership with the National Park  
6       Service and in accordance with the Management  
7       Plan for the District in which the Park is located.

8   **SEC. 14. AUTHORIZATION OF APPROPRIATIONS.**

9       There is authorized to be appropriated such sums as  
10   are necessary to carry out this Act.

○